

(SEE SIGNATURE PAGE FOR ATTORNEY LIST)

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

DROPLETS, INC.,

Plaintiff,

vs.

NORDSTROM, INC.,

Defendant.

Case No. 3:12-cv-04049-JST

**STIPULATION AND ~~PROPOSED~~
ORDER CHANGING THE TIME FOR
NORDSTROM'S REPLY BRIEF**

Pursuant to Civil L.R. 6-2, Defendant Nordstrom, Inc. ("Nordstrom") respectfully submits this stipulated request for an Order changing the time for filing of Nordstrom's reply brief in support of Nordstrom's motion to stay the current litigation, and would show the Court the following:

On June 7, 2013, Nordstrom filed a motion to stay the current litigation pending the final resolution of the reexamination of U.S. Patent No. 7,502,838 (the "'838 patent"), one of the two patents asserted by Plaintiff Droplets, Inc. ("Droplets"). (Dkt. 51, the "Stay Motion.")¹ Droplets

¹ Williams-Sonoma Inc. ("WSI") joined in the motion to stay, which was also filed in the related action styled as *Droplets, Inc. v. Williams Sonoma Inc.*, Case No. 5:15-cv-04047-JST. However, on June 27, 2013, this Court entered a minute order noting the dismissal of WSI and directing the clerk to close the WSI action. (Dkt. 69, Case No. 5:15-cv-04047-JST.) As a result, the pending Stay Motion does not relate to WSI and WSI takes no part in the current motion for order changing the time for filing of Nordstrom's reply brief.

1 filed an opposition to the Stay Motion on June 21, 2013. (Dkt. 61.) The Stay Motion and
 2 Droplets' opposition thereto were filed in the San Jose division, while this action was pending
 3 before Judge Davila.

4 Subsequently, on June 20, 2013, Judge Davila entered an order recusing himself from the
 5 action and reassigning the action to this Court. (Dkt. 59.) On June 21, 2013, this Court entered
 6 an Order directing Nordstrom to renote the Stay Motion for Hearing, and specifying that
 7 briefing schedules on the Stay Motion would remain unchanged. (Dkt. 60.) On June 27, 2013,
 8 Nordstrom renoted the Stay Motion in this Court and set a hearing for August 2, 1013. (Dkt.
 9 63.) Nordstrom's reply in support of the Stay Motion is currently due on June 28, 2013.

10 Nordstrom respectfully requests a ten (10) day extension of time, up to and including
 11 July 8, 2013, in which to file a reply brief in support of the Stay Motion. The requested extension
 12 will provide Nordstrom with sufficient time to consider the points raised in Droplets' opposition.
 13 (Decl. of Bonnie M. Grant at ¶ 5, "Grant Decl.") The requested extension of time will not affect
 14 the schedule for the case, because the Stay Motion is not noticed for a hearing until August 2,
 15 2013 and a Case Management Conference is not set until September 4, 2013. (Grant Decl. at ¶ 6;
 16 *see also* Dkts. 62, 63.) Nordstrom has conferred with counsel for Droplets, who confirmed that
 17 Droplets does not oppose the requested extension of time. (Grant Decl. at ¶ 7.)

18 THEREFORE, it is stipulated by the Parties that:

19 The due date for the filing of Nordstrom's reply brief in support of the Stay Motion is
 20 extended up to and including July 8, 2013.

21 **SO STIPULATED**

22 DATED: June 28, 2013

By: /s/ Bonnie M. Grant

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13 DATED: June 28, 2013

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Filer's Attestation

Pursuant to Civil Local Rule 5-1(i)(3), Bonnie Grant, hereby attests that the above-named signatories concur in this filing.

DATED: June 28, 2013

/s/ Bonnie M. Grant
Bonnie M. Grant

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: July 2, 2013


The Honorable Jon S. Tigar
United States District Judge